

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

CAROL PEEL

VS.

UNUM LIFE INSURANCE
COMPANY OF AMERICA and
HIGGINBOTHAM INSURANCE
AGENCY, INC. PLAN

www.pearsoned.com

CA No. 4:15-cv-03016

AGREED STIPULATION - DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiff, Defendant UNUM Life Insurance Company of America (“Insurer”), and Defendant Higginbotham Insurance Agency, Inc. Plan (“Plan”), that:

1. Without admitting any of the allegations in the Complaint or liability for any causes of action asserted therein, Insurer stipulates that it insures the Accidental Death & Dismemberment benefits under the Plan that Plaintiff seeks in this lawsuit, and would be responsible for funding the benefits it insures if the Court were to find that Plaintiff is entitled to receive them. However, Insurer believes that Plaintiff is not entitled to any such payment.
2. The Plan is neither a necessary nor indispensable party to this action.
3. The Complaint is hereby dismissed without prejudice as against the Plan.

Respectfully submitted,

By: /s/
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